

Jeffries vs. Centre Life Ins. Co., et al.
October 28, 2003

MICHAEL McCLELLAN, M.D.
VOLUME II

<p>Page 88</p> <p>1 APPEARANCES:</p> <p>2 On behalf of the Plaintiff:</p> <p>3 Michael A. Roberts, Esq. 4 Graydon, Head & Ritchey 5 1900 Fifth Third Center 6 511 Walnut Street 7 Cincinnati, Ohio 45202-3157 8 Phone: (513) 621-6464</p> <p>9 On behalf of the Defendants:</p> <p>10 William R. Ellis, Esq. 11 Wood & Lamping 12 2500 Convergys Center 13 600 Vine Street 14 Cincinnati, Ohio 45202-2409 15 Phone: (513) 852-6000</p> <p>16 - - -</p> <p>17 S T I P U L A T I O N S</p> <p>18 It is stipulated by and between counsel for the 19 respective parties that the deposition of MICHAEL 20 MCCLELLAN, MD, a witness herein, called by the 21 defendants for cross-examination, pursuant to the 22 Federal Rules of Civil Procedure, may be taken at 23 this time by the notary; that said deposition may be 24 reduced to writing in stenotype by the notary, whose 25 notes may then be transcribed out of the presence of 26 the witness; and that proof of the official 27 character and qualifications of the notary is 28 expressly waived.</p>	<p>Page 90</p> <p>1 MR. ELLIS: Doctor, you consider yourself 2 still under oath, don't you? 3 THE WITNESS: I certainly do. 4 MICHAEL MCCLELLAN, MD 5 being by me previously cautioned and sworn, deposes 6 and says as follows: 7 CROSS-EXAMINATION (CONTINUED) 8 BY MR. ELLIS: 9 Q. When we left off last time, Dr. McClellan, 10 we were discussing a number of different potential 11 labels to put on Mr. Jeffries' difficulties, which 12 included myalgic encephalomyelitis, chronic fatigue 13 syndrome, wasn't there a third, autoimmune 14 cerebritis? 15 MR. ROBERTS: Objection. Go ahead. 16 A. I would not call it an autoimmune 17 cerebritis. I think he has an autoimmune-mediated 18 process, which contributes to his muscle pain, 19 weakness, cognitive dysfunctions, and that's on the 20 basis of an immune reaction to the hepatitis 21 vaccine. 22 And different specialists, different 23 physicians, have called it or used -- called it 24 different things, used different terminologies, but</p>
<p>Page 89</p> <p>1 I N D E X</p> <p>2 Cross-Examination (Continued) By: Page 3 Mr. Ellis 90 4 - - - 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24</p>	<p>Page 91</p> <p>1 that's the underlying process. 2 Q. This is the working hypothesis that you 3 currently have? 4 MR. ROBERTS: Objection. 5 A. That's my feeling as to his diagnosis. 6 Q. You recall Dr. Hyde, for example, 7 suggested that he had a parkinsonian appearance, and 8 movement, and so forth? 9 MR. ROBERTS: Objection. 10 Q. Do you recall that? 11 MR. ROBERTS: Objection. 12 A. I believe he said that he had some 13 parkinsonian features, but I would have to look at 14 his note to see his exact wording. 15 Q. All right. In your records of March of 16 2001 you received a referral letter sent to Dr. Hyde 17 by a Dr. Fernandez from Canada? 18 A. I'm sorry, what was the date on that? 19 Q. You were carbon copied on the letter that 20 is dated March 14th. It appears you received it 21 March the 19th perhaps of 2001. 22 A. Yes, I have it. 23 Q. Okay. In the letter, if you look to the 24 second page, in summary the good doctor found that</p>